

REMARKS

The above amendments and the following remarks are fully and completely responsive to the Office Action dated July 28, 2004. Claims 11-16, 18-19 and 21-22 are pending in this application. Claims 11 and 18 have been amended, claims 1-10, 17 and 20 have been canceled and claims 21-22 have been added by this Amendment. In the outstanding Office Action, the Information Disclosure Statement filed November 21, 2001 was objected to; claims 1-9, 17 and 20 were rejected under 35 U.S.C. § 112, first paragraph; claims 1-20 were rejected under 35 U.S.C. § 112, second paragraph; and claims 1-9, 17 and 20 were rejected under 35 U.S.C. § 102(a) (two different rejections) and under 35 U.S.C. § 102(b). No new matter has been added. Claims 11-16, 18-19 and 21-22 are presented for consideration.

Information Disclosure Statement

The Examiner indicated that several references contained on the Information Disclosure Statement filed November 21, 2001 failed to contain dates and/or sources of publication. Attached hereto is an Information Disclosure Statement that corrects the deficiencies noted by the Examiner.

35 U.S.C. § 112, First Paragraph

Claims 1-9, 17 and 20 were rejected under 35 U.S.C. § 112, first paragraph. The cancellation of these claims renders this rejection moot.

35 U.S.C. § 112, Second Paragraph

Claims 1-20 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claims 1-10, 17 and 20 have been canceled. Accordingly, this rejection is moot as to these claims.

Regarding claim 18, Applicants have amended claim 18 such that this claim now particularly points out and distinctly claims the subject matter which Applicant regards as the invention. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection as to claims 11-16 and 18-19.

35 U.S.C. §§ 102 and 103

Claims 1-9, 17 and 20 were rejected under 35 U.S.C. § 102(b) as anticipated by, or in the alternative, under 35 U.S.C. § 103(a) as obvious over Amidon et al.

Claims 1-9, 17 and 20 were also rejected under 35 U.S.C. § 102(a) as anticipated by, or in the alternative, under 35 U.S.C. § 103(a) as obvious over Dowty et al.

Claims 1-9, 17 and 20 were also rejected under 35 U.S.C. § 102(a) as anticipated by, or in the alternative, under 35 U.S.C. § 103(a) as obvious over Fecik et al.

The cancellation of claims 1-9, 17 and 20 renders these three rejections moot.

New Claims

New claims 21 and 22 have been added to claim Applicants' invention. Claim 21 has been added to restate the elements recited in canceled claim 10 in a manner that particularly points out and distinctly claims the subject matter which Applicant regards as the invention. Claim 22 has been added to claim additional aspects of Applicants' invention. Since no prior art was cited against claim 10 and claim 21 contains substantially the same elements as claim 10, Applicants respectfully request consideration and allowance of claims 21-22.

Conclusion

Applicants' amendments and remarks have overcome the objections and rejections set forth in the Office Action dated July 28, 2004. Applicants' remarks have addressed the objection to the Information Disclosure Statement filed November 21, 2001. Applicants' cancellation of claims 1-9, 17 and 20 has rendered moot the rejections of these claims under 35 U.S.C. § 112, 35 U.S.C. § 102 and 35 U.S.C. § 103. Applicants' cancellation of claim 10 and amendment of claim 18 address the remaining claim rejections under 35 U.S.C. § 112, second paragraph. New claims 21-22 particularly point out and distinctly claim Applicants' invention. Accordingly, claims 11-16, 18-19 and 21-22 are in condition for allowance. Therefore, Applicants respectfully request consideration and allowance of claims 11-16, 18-19 and 21-22.

Applicants submit that the application is now in condition for allowance. If the Examiner believes the application is not in condition for allowance, Applicants respectfully

request that the Examiner contact the undersigned attorney by telephone if it is believed that such contact will expedite the prosecution of the application.

In the event that this paper is not considered to be timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300, referring to client/matter number 109904-00067.

Respectfully submitted,
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Enclosures: Petition for Extension of Time
Information Disclosure Statement and PTO 1449

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